

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

M.W., a minor by RYAN WAGNER  
and WHITNEY BROSCIOUS, his  
parents,

Plaintiffs,

v.

SHIKELLAMY SCHOOL DISTRICT,

Defendant.

No. 4:20-CV-00018

(Chief Judge Brann)

**ORDER**

**FEBRUARY 15, 2022**

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that Defendant Shikellamy School District's Motion for Summary Judgment (Doc. 27) is **GRANTED** in part and **DENIED** in part.

1. Summary Judgment as to Plaintiffs' Count I for Violations of Title IX, 20 U.S.C. § 1681, is **DENIED**.
2. Summary Judgment as to Plaintiffs' Count II for Violations of 42 U.S.C. § 1983 is **GRANTED**. This Count is dismissed with prejudice.
3. The Court will schedule a telephonic conference call by separate Order.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge